



#5 6P2882

Patent
270/234

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Yoshihiro Takai et al.

Serial No.: 10/037,477

Filed: January 2, 2002

For: METHOD AND APPARATUS FOR
IRRADIATING A TARGET

Group Art Unit: 2882

Examiner: Not Yet Assigned

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TECHNOLOGY CENTER 2800

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449 and copies are enclosed for the convenience of the Examiner.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

August 02, 2002
Date of Deposit

Angelica Jaquez

Name of Person Mailing Paper

Signature of Person Mailing Paper

INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

☒ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

☒ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

☐ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

☐ The fee due under 37 CFR § 1.17(p) is submitted herewith.

☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

STATEMENT UNDER 37 CFR § 1.97(e):

☐ Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☒ No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

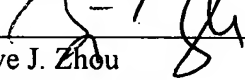
PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

- ☐ A check in the amount of _____ is enclosed for the above fee(s).
☐ Please charge _____ to Deposit Account No. **12-2475** for the above fee(s).

The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Lyon & Lyon's Deposit Account No. **12-2475**.

Respectfully submitted,
LYON & LYON LLP

Dated: August 2, 2002

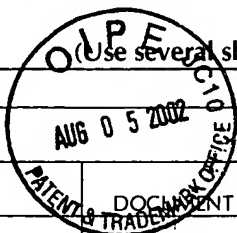
By: 
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22249

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FORM PTO-1449 LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 270/234	SERIAL NO. 10/037,477
	APPLICANT: Yoshihiro Takai et al.	
	FILING DATE: January 2, 2002	GROUP: 2882



U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
	AA	5,727,554	03/17/98	Kalend et al.	128	653.1	09/19/96
	AB	5,823,192	10/20/98	Kalend et al.	128	845	07/31/96
	AC	6,020,159	02/01/00	Black et al.	435	69.1	08/04/97
	AD	6,138,302	10/31/00	Sashin et al.	5	600	11/10/98
	AE	6,307,914 B1	10/23/01	Kunieda et al.	378	65	12/01/99

FOREIGN PATENT DOCUMENTS								
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)		
	AF	B.J. Lopresti, et al., "Implementation and Performance of an Optical Motion Tracking System for High Resolution Brain PET Imaging", <i>IEEE Transactions on Nuclear Science</i> , Vol. 46, No. 6, December 1999; pp. 2059-2067
	AG	P.J Keall, et al., "Motion adaptive x-ray therapy: a feasibility study", <i>Physics in Medicine Biology</i> , 46 (2001) 1-10
	AH	Paul Keall, "4D IMRT: Imaging, Planning and Delivery", January 31, 2001, pp. 1-53

EXAMINER: Not Yet Assigned	DATE CONSIDERED:
EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant	